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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BRIAN APPLGATE, aka SEAN
STYLES,

Petitioner,

vs.

L.S. MCEWEN, Warden,

Respondent.

Case No. CV 11-3928-PA (DTB)

ORDER ACCEPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended
Petition, all the records and files herein, and the Report and Recommendation of the
United States Magistrate Judge. Objections to the Report and Recommendation have
been filed herein. Having made a de novo determination of those portions of the
Report and Recommendation to which objections have been made, the Court concurs
with and accepts the findings, conclusions and recommendations of the Magistrate
Judge.

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1 IT THEREFORE IS ORDERED that petitioner's request for an evidentiary
2 hearing is denied; that respondent's Motion to Dismiss is granted; and that Judgment
3 be entered denying the First Amended Petition and dismissing this action with
4 prejudice.

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6 DATED: April 26, 2012



PERCY ANDERSON
UNITED STATES DISTRICT JUDGE